

OVERVIEW: RHODE ISLAND POLLUTANT DISCHARGE ELIMINATION SYSTEM STORM WATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITY

Rhode Island
Department of
Environmental
Management

Office of Water
Resources,
RIPDES Storm Water
Program



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BACKGROUND

In 1987, amendments to the CWA added Section 402(p), which set up the framework to regulate storm water under the NPDES program. On November 16, 1990, EPA issued final regulations that established application requirements for storm water permits. These regulations require owners or operators of specific categories of industrial activities (see 40 CFR 122.26(b)(14)), which discharge storm water directly to the waters of the United States, or indirectly through a separate storm sewer system, via a point source conveyance, to obtain a NPDES storm water permit. Construction activities that disturb at least five acres of land and have a point source discharge to waters of the United States are included as "industrial activity" (see 40 CFR 122.26(b)(14)(x)).

Since 1984, the Rhode Island Department of Environmental Management (RIDEM) has been delegated authority from the US Environmental Protection Agency to implement the NPDES Program in Rhode Island (referred to as RIPDES). As a delegated State, Rhode Island amended the Rhode Island Pollutant Discharge Elimination System regulation in 1993 to include Phase I storm water requirements and developed a state wide General Permit to cover storm water discharges which was reissued on March 19, 1998 with an expiration date of March 19, 2003.

On December 8, 1999, EPA made changes to NPDES regulations to include the Phase II storm water program requirements. RIDEM amended the RIPDES regulation, which became effective on March 19, 2002. The Department has reissued the General Permit for Storm Water Discharge Associated with Construction Activity on September 9, 2003 which is effective for a five year period. The General Permit continues coverage for construction sites that disturb five or more acres of land (referred to as large construction activities), as well as for construction sites that disturb one or more acres of land (referred to as small construction activity), and sites less than one acre that are part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than one and less than five acres.

WHO CAN I CONTACT FOR MORE INFORMATION?

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